

EXHIBIT 5-A

MAJOR DISCRIMINATION LAWS IN MONTANA

Major Employment Discriminations Laws	Employer Coverage	Summary	Enforcement Agency	Time Limit to File Complaint	Remarks
Montana Human Rights Act. Title 49, MCA Chapter 2	All employers except fraternal, charitable or religious employers which are nonprofit and do not provide services to nonmembers	Prohibits discrimination based on race, color, national origin, creed, religion, sex, pregnancy, marital status, age (all ages), physical or mental handicap and political beliefs. Prohibits retaliation for filing a complaint, testifying in a case or opposing discriminatory practices prohibited by the Human Rights Act.	Department of Labor and Industry (DOLI), Human Rights Bureau - Helena	180 days and possibly up to 300 days if a formal grievance is pursued first.	Political belief discrimination is prohibited only for state and local governmental employers. Maternity leave provisions require employers to grant a reasonable leave of absence or disability associated with pregnancy and to reinstate at the end of leave. Also prohibits discrimination in housing, credit, public accommodations, education, government services and insurance.
Montana Governmental Code of Fair Practices, Title 49, MCA, Chapter 3	All public employers	All of the above	Department of Labor and Industry (DOLI), Human Rights Bureau – Helena.	Same as above	Also prohibits discrimination in employment referrals and placement services, educational counseling and training programs, licensing, governmental services, distribution of government funds, and public contracts.
Title VII of the Federal Civil Rights Act of 1964, as amended, Title 42, U.S.C. Sec. 2000e	Most employers of 15 or more	Prohibits discrimination based on race, sex, color, religion, national origin, and retaliation for filing a complaint, testifying or opposing discriminatory practices prohibited by Title VII.	EEOC - Denver or Department of Labor and Industry (DOLI), Human Rights Bureau – Helena.	180 days or 300 days if filed first with Department of Labor and Industry (DOLI), Human Rights Bureau - Helena.	EEOC must, under Section 706, defer to state proceedings first.
Federal Age Discrimination in Employment Act of 1967, as amended Title 29, U.S.C., Sec. 621, et.seq.	Private employers of 20+, most public employers	Prohibits discrimination based on age for individuals 40 and over. Prohibits retaliation for filing a complaint, testifying in a case, or opposing practices prohibited by the Age Discrimination in Employment Act.	EEOC – Denver or Department of Labor and Industry (DOLI), Human Rights Bureau – Helena.	180 days or 300 days if filed first with Department of Labor and Industry (DOLI), Human Rights Bureau - Helena.	

Federal Equal Pay Act of 1963, Title 29, U.S.C. Sec. 206(d)(1)	Most private and public employees	Prohibits sex-based differentials in wages. Prohibits retaliation for filing a complaint or testifying in a case under the Equal Pay Act.	EEOC – Denver or Department of Labor and Industry (DOLI), Human Rights Bureau - Helena	Two years; three years if willful	Applies to jobs equal in skill, effort, responsibility performed under similar working conditions.
Federal Rehabilitation Act of 1973, Section 503 and 504	See Remarks	Prohibits discrimination against qualified handicapped persons in employment and programs.	Sec. 503 – OFCCP Denver Sec. 504 – Granting Agency.	180 days	Sec. 503 covers employment under Federal contracts. Sec. 504 covers non-discrimination in all areas by recipients of federal financial assistance.
Americans with Disabilities Act, Title I-IV	Prohibits discrimination on the basis of disability in private sector employment, services provided by State and local governments, places of public accommodations, transportation and communication services.	Prohibits discrimination against individuals in the full and equal enjoyment of goods, services, facilities, privileges, advantages or accommodations of any place of public accommodations.	EEOC – Denver or Department of Labor and Industry (DOLI), Human Rights Bureau – Helena.		